



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR TIME-PHASED CONSTANT IR ENERGY DELTA SOURCE, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			
NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
<u>NONE</u>	<u> </u>	<u> </u>	<u> </u> YES <u> </u> NO

I hereby appoint Carl A. Rowold, Reg. No. 29,023, Ann Agosti, Reg. No. 37,372, Jay Chaskin, Reg. No. 24,030, John F. Beninati, Reg. No. 40,510, Philip B. Polster, Reg. No. 16,554, J. Philip Polster, Reg. No. 24,739, Lionel L. Lucchesi, Reg. No. 25,891, William G. Bruns, Reg. No. 19,541, Edward A. Boeschenstein, Reg. No. 22,986, William B. Cunningham, Jr., Reg. No. 26,155, Ralph B. Brick, Reg. No. 17,444, McPherson D. Moore, Reg. No. 28,449, J. Joseph Muller, Reg. No. 28,450, Jonathan P. Soifer, Reg. No. 34,932, Ned W. Randle, Reg. No. 35,989, Martha A. Michaels, Reg. No. 20,453, Mark E. Books, Reg. No. 40,918, Catherine W. Wall, Reg. No. 42,209, David H. Chervitz, Reg. No. 32,820, Ronald W. Hind, Reg. No. 24,643, Nelson D. Nolte, Reg. No. 42,938 and Douglas D. Churovich, Reg. No. 50,613 our attorneys with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to: **Customer Number 001688.**

Direct all telephone calls to Nelson D. Nolte at (314) 872-8118.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First Inventor: Mark Bartonek

Inventor's Signature:

Mark J. Bartonek Date: 9-10-2003

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